

**TAXPAYERS' BILL OF RIGHTS HEARING
FRANCHISE TAX BOARD
MINUTES
December 2, 2003**

The Franchise Tax Board met in open session at 1:00 p.m. at the State Board of Equalization, 450 N Street, Hearing Room 121, Sacramento, California. Present were Hon. Steve Westly, Betty Yee, representing Hon. Carole Migden, and Connie Squires, representing Hon. Donna Arduin.

Franchise Tax Board

Staff Participating: Will Bush, John W. Davies, Brian Putler, and Debbie Newcomb.

Others Participating: Gina Rodriguez representing Spidell Publishing, and Richard E. V. Harris, Attorney at Law.

Taxpayers' Bill of Rights Hearing

Chair Westly read the opening statement as required by law, and introduced Franchise Tax Board staff members who were present and able to respond to questions.

Gina Rodriguez

Ms. Rodriguez presented written material offering five proposals for the Board's consideration. Ms. Rodriguez' proposals were as follows:

Proposal #1: Correction of a double withholding problem regarding nonresident members of limited liability companies (LLCs).

Proposal #2: Relief from the annual tax for limited partnerships.

Proposal #3: Return to stand-alone personal income tax returns.

Proposal #4: Nanny/elder care tax simplification (proposal from previous years).

Proposal #5: Restructuring of the Homeowners' and Renters' Assistance Program (proposal from previous year).

Richard E. V. Harris

Mr. Harris presented oral testimony on his proposal that there be a "deemed denial" provision with respect to protests. If the FTB has not acted on a taxpayer's protest within two years, the taxpayer could consider the protest denied and appeal to the State Board of Equalization.

Debbie Newcomb

After hearing all proposals presented by Ms. Rodriguez and Mr. Harris, Ms. Newcomb requested time for staff to review and give thorough consideration of all proposals presented and report back to the Board. Chair Westly stated that he looked forward to hearing back from staff on these proposals.

The meeting adjourned at 2:50 p.m.

Board Secretary

Date